

Top 10 State Issues for Proposed Plan

Following are the State's top 10 most significant concerns based on our current understanding of EPA's preliminary preferred alternative, interaction with the NRRB/CSTAG and participation in the recent "walkthrough" meetings between EPA and LWG members.

Number	Topic	State Leads*	EPA Leads*	Description	Path Forward	Schedule (Updated)
1	Operable Units	Kevin Gary Paul	Cami Lori Cyndy	Designate OUs to increase implementability – specify OUs in Proposed Plan.	Bill will facilitate three track process addressing legal and technical issues and employing "as if" choices.	Resolve by Mar 1
2a	Schedule	Kevin Sarah	Davis Sean	Need detailed schedule identifying key milestones for issuance of a Dec 2016 ROD and check-in points with the State. Include schedule and process for State making concurrence determination.		Resolve by Feb 1
2b	Outreach	Nina Kevin Sarah	Marianne Mark Alanna	Need written plan for early and extensive outreach between now and end public comment period on the Proposed Plan.	Pre-PP plan is mostly complete. EPA to work with City and DEQ.	No longer urgent.
3	Cost	Kevin Sarah	Davis Sean	Revise cost estimate in consideration of DEQ's prior recommendations for cost reduction and comment #10 below regarding Arkema NAPL interpretation.	DEQ will independently validate EPA's cost estimate with input from with Sean and CDM.	Resolve before PP
4	SC Compliance & Recontamination	Matt Alex	Sean Eva	Need to agree on compliance criteria and points of compliance for GW and StW pathways. Also need definition of sediment recontamination that addresses both upland and in-water sources. Include in Proposed Plan.	DEQ-EPA focus discussion 1/21/16.	???
5	Riverbanks &	Matt	Sean	Clarify whether "riverbank" includes	???	???

	RAO9			beach areas. Also clarify utilization of RAO 9 PRGs in remedy selection and integration with source control efforts.		
6	Institutional Controls	Kevin Sarah	Davis Sean	Minimize restrictions on river-related use of Harbor. E.g., RNAs should not restrict all navigation and river-related activities as was done with M&B and GASCO.	Need agreement on generic IC for sediment cap. Need enough detail in PP for State to comment	???
7	Fish Advisories	Kevin Sarah Mike	Davis Elizabeth	Need plan describing effective use of fish advisories (see DEQ pages 16-18 comment on draft FS). Include concepts in Proposed Plan – flush out remaining details in ROD.	Need enough detail in PP for State to comment	???
8	Disposal Options and Impacts to State Transportation System	Tom Sarah	Davis Sean	Identify disposal options (e.g., upland sites) that incentivize use of barge and rail for bulk material transport. Include concepts in Proposed Plan. Flush out remaining details in ROD.	Could this be covered under Green Remediation (LWG FS App N)? Need enough detail in PP for State to comment	???
9	Surface vs Subsurface Contamination in Delineating SMAs	Kevin Sarah	Davis Sean	specify how SMAs will be delineated and under what conditions active remediation will be required in areas where surfaced sediment is below RALs but subsurface sediment exceeds RALs – will decision tree be different for RD than in the FS for developing the preferred alternative – include decision tree in Proposed Plan.	Easily solvable. Need enough detail in PP for State to comment	???
10	NAPL and Hazardous Waste Interpretation at Arkema	Matt	Sean	Based on DEQ's review of the EPA FS and statements made to the NRRB, DEQ understands that EPA is assuming thermal treatment of dredged sediment adjacent to the Arkema site in its remedy cost estimates. The multiple phases of	Easily solvable. Need resolution before PP in order to finalize cost estimate.	Resolve by Feb 1

				<p>sediment investigation have not encountered sediment exhibiting NAPL saturated conditions that would warrant thermal treatment prior to management. The most significant observations have been the occasional sheen and product bleb. While it is possible that RD data or RA could encounter a pocket of heavily NAPL impacted sediment, DEQ suggests that EPA adaptively manage these potential circumstances rather than ascribe a large treatment cost associated with these sediments to the Portland Harbor remedy. Additionally, EPA correctly notes in the FS that the sediment adjacent to the Arkema site containing DDX contains a state listed hazardous waste (pesticide residue). DEQ wants to be clear that land disposal of these sediments does not require treatment under Oregon Administrative Rules.</p>		
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